

TROY LAW, PLLC  
John Troy (JT 0481)  
41-25 Kissena Boulevard Suite 119  
Flushing, NY 11355  
Tel: (718) 762-1324  
*Attorney for the Plaintiffs, proposed FLSA Collective and  
potential Rule 23 Class*

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

-----X  
PARANEE SARIKAPUTAR,  
SYSOUVONG, PHOUVIENGSONE,  
SUPUNNEE, SUKASAWETT,  
VINAI, PATAN, and  
SITTIDAJ, WIPPAPORN,  
*on their own behalf and on behalf of others similarly  
situated*

Plaintiffs,  
v.

VERATIP CORP  
d/b/a ThaiNY, d/b/a M-Thai,  
d/b/a Thai Rice and d/b/a Tom Yum;  
J AKIRA LLC  
d/b/a ThaiNY, d/b/a M-Thai,  
d/b/a Thai Rice and d/b/a Tom Yum;  
THAINY RESTAURANT LLC  
d/b/a ThaiNY, d/b/a M-Thai,  
d/b/a Thai Rice and d/b/a Tom Yum;  
NINETY-NINE PLUS CORP  
d/b/a ThaiNY, d/b/a M-Thai,  
d/b/a Thai Rice and d/b/a Tom Yum;  
9999 MIDTOWN CORP  
d/b/a ThaiNY, d/b/a M-Thai,  
d/b/a Thai Rice and d/b/a Tom Yum;  
PERAPONG CHOTIMANENOPHAN  
a/k/a Peter Chotimanenophan,  
MICHAEL P BRONSTEIN, and  
CHARDENPONG OONAPANYO

Defendants.  
-----X

**Case No. 17-cv-00814**

**29 U.S.C. § 216(b)  
COLLECTIVE ACTION &  
FED. R. CIV. P. 23 CLASS  
ACTION**

**NOTICE OF PLAINTIFFS'  
MOTION FOR  
CONDITIONAL  
COLLECTIVE  
CERTIFICATION**

**PLEASE TAKE NOTICE** that upon the annexed Declaration of John Troy, sworn to on  
June 28, 2018, and all exhibits attached thereto, and upon all prior pleadings and proceedings

herein, the undersigned shall move this Court, at the United States Courthouse for the Southern District of New York, before the Honorable Aaron Stewart D for an Order:

(1) granting collective action status, under the Fair Labor Standards Act (“FLSA”), 29 U.S.C. § 216(b);

(2) ordering the Defendants to produce a Microsoft Excel data file containing contact information, including but not limited to first and last name of the employee, the last known mailing addresses (including apartment number if applicable), last known telephone numbers, last known email addresses, work locations, position and dates of employment for all individuals who have worked for the Defendants as a non-managerial employee for

- M-Thai/ Tom Yum:
  - at 232 Eighth Avenue, New York, NY 10011; and
  - at 200 Eighth Avenue, New York, NY 10011.
- ThaiNY:
  - at 394 Third Avenue, New York, NY 10016;
  - at 1750 2nd Avenue, New York, NY 10128; and
  - at 1718 2nd Avenue, New York, NY 10128.
- Thai Rice:
  - 165 West 23rd Street, New York, NY 10011.

between February 02, 2014 and the date this Court decides this Motion;

(3) authorizing that notice of this matter be sent to members of the putative class;

(4) authorizing equitable tolling of the statute of limitation pending the expiration of the opt-in period; and

(5) ordering the Defendants to post the approved Proposed Notice in conspicuous locations at the location where the Prospective Collective Action Members worked or are now working;

(6) ordering the Plaintiffs to publish the Notice of Pendency, in an abbreviated form to be approved by the Court, at Defendants’ expense should Defendants fail to furnish a complete Excel list or more than 20% of the Notice be returned as undeliverable with no forwarding address to be published in English, Spanish, Thai, and Laos.

Dated: Flushing, New York

June 28, 2018

TROY LAW, PLLC  
*Attorneys for the Plaintiffs, proposed FLSA*

*Collective and potential Rule 23 Class*

/s/ John Troy  
John Troy (JT0481)